

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BLIZZARD ENTERTAINMENT, INC., AND  
VALVE CORPORATION,

No. 3:15-cv-04084-CRB

Plaintiffs,

**ORDER DIRECTING PARTIES TO  
SUBMIT FURTHER BRIEFING**

v.

LILITH GAMES (SHANGHAI) CO. LTD.,  
AND UCOOL, INC.,

Defendants.

The End User License Agreements (“EULAs”) governing both Warcraft III and its World Editor Program informs users that they are not entitled to:

use or allow third parties to use the Editor and the New Materials created thereby for commercial purposes including, but not limited to, distribution of New Materials on a stand-alone basis or packaged with other software or hardware through any and all distribution channels, including, but not limited to, retail sales and on-line electronic distribution without the express written consent of Blizzard.

EULAs (dks. 120–8 & 120–9) ¶ 3.C.iii. The Court ORDERS Defendant uCool, Inc. (“uCool”) and Plaintiff Valve, Corp. (“Valve”) to submit further briefing as to how, if at all, the above provision affects uCool’s motion for partial summary judgment. The parties are to address only this issue. uCool shall have 14 days to file an opening brief that is no longer than 10 pages. Valve shall have 7 days after the opening brief is due to file a response that is no longer than 10 pages.<sup>1</sup> uCool shall have 7 days after the response is due to file a reply that is no longer than 5 pages. The Court also VACATES the hearing set for March 24, 2017.

**IT IS SO ORDERED.**

Dated: March 14, 2017



CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE

<sup>1</sup> Plaintiff Blizzard Entertainment, Inc. is INVITED to file its own response by this deadline if it so chooses. Any such response must be limited to the above issue and be no longer than 10 pages.